(c) The information is being collected and will be laid on the Table of the House.

(d) As on 31-10-94, about 72,987 cases were pending with the Railway Claims Tribunal.

(e) As on 30th September, 1994, about 39,785 cases were pending with the Central Administrative Tribunal.

(f) In order to consider the problem of arrears of cases in Courts and find out ways and means to deal with it as expeditiously as possible, a meeting of the Chief Ministers and Chief Justices was held on 4-12-1993 under the Chairmanship of the Prime Minister. The Conference adopted a resolution in which it recommended several steps for speedy disposal of cases in Courts/Tribunals, which have been accepted by the Government and commended to all State Governments/UT Administrations and High Courts/Tribunals for necessary action. Three Working Groups of Law Ministers, thereafter, met to consider further the recommendations contained in the above Resolution with regard to rural litigation, arrears of cases in administrative tribunals and alternative dispute resolution. The implementation of December, 1993 resolution and recommendations made by the Working Groups were reviewed by the Law Ministers at their plenary meeting held in Calcutta in November, 1994. A copy of the Resolution adopted at the meeting was placed on the Table of this House in reply to USQ 405 dated 8-12-94.

Transfer of judges to Madras High Court

2671. SHRI S. MADHVAN : Will the PRIME MINISTER be pleased to state :

(a) Whether Government are aware of the views expressed by the Madras Bar Association requesting the Chief Justice of India not to host any more Judges who do not know Tamil language to the Madras High Court;

(b) whether the Madras High Court face difficulties in translating documents and evidence which are now written in Tamil, the State's official language; and

(c) what are the steps taken to resolve this problem ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) to (c) Transfers of Judges from one High Court to another have been made in terms of Article 222(1) of the Constitution on recommendations of the Chief Justice of India, in pursuance of the Government's policy to have one-third Judges in each High Court from outside. The Government of India have received a copy of the Resolution passed by the Madras Bar Association requesting the Chief Justice of India not to post any more Judges who do not know Tamil to the Madras High Court. However, no such request has been received from the Chief Justice of Madras High Court.

Sale of the Holdings of BBTCL

2672. SHRI DILIP SINGH JUDEV : Will the PRIME MINISTER be pleased to state :

(a) whether Government are aware of the sale of the holdings of Bombay Burmah Trading Corporation Limited (BBTCL) by the group controlled by Shri Nusli Wadia; and

(b) if so, the details thereof ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) No, Sir. According to papers filed with the Registrar of Companies, Bombay, the share-holding of the Wadia Group in this company has increased since the last Annual General Meeting held on 26th July, 1994.

(b) Does not arise.

Indian Companies selling preference and equity shares to foreign Countries

2673. SHRI S. S. AHLUWALIA : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that complaints have been received, particularly during the last two years, about sale and transfer of preference and equity shares of renowned Indian companies to purchasers in foreign countries at unrealistic lower rates and often in non-trans parent manner;

(b) if so, the reaction of Government thereto; and

(c) details of the Indian companies which have sold more than two per cent of their equity, and preference shares to institutions and/or individuals abroad ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) and (b) Some cmopanies issued and transferred equity shares and convertible preference shares/warrants to purchasers in foreign countries at prices lower than the then prevailing market price of their shares. To curb this practice, Securities and Exchange Board of India issued guideliness for allotment of shares on preferential basis to foreign institutional investors on 11-1-94 according to which preferential allotment to foreign institutional investors registered with SEBI may be made by the companies at the price not less than the highest price during the last 26 weeks on all the stock exchanges where the securities are listed. The companies are also required to follow the provisions of Section 81(1-A) of the Companies Act and to obtain approvals from the Reserve Bank of India. Subsequently, SEBI issued guidelines on 4-8-94 for issue of shares on preferential basis, which prescribe pricing formula and lock-in-period of 5 years, according to which the issue of shares on preferential basis can be made at market related price.

(c) The required information is not maintained centrally in the Department of Company Affairs.

Amendment of Bar Council Act

2674. SHRI RAM RATAN RAM Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that the Bar Council of India has amended the Bar Council Act/ Rule and fixed age limit to register an advocate for law practice;

(b) if so, what are the reasons behind this amendment;

(c) whether it is also a fact that some writs have been filed against this amendment in ifferent High Courts; and

(d) if so, what is the present position of these writs ?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ) : (a) Yes, Sir.

(b) The Bar council of India has informed that the main reason behind this amendment is to discourage the enrolment of un-interested persons and to prevent over-crowding in the profession.

(c) Yes, Sir.

(d) The Madras High Court has held that the said rule is unconstitutional. The Bar Council of India has filed a Special Leave Petition against the said judgement before the Supreme Court of India. The Supreme Court, after hearing the same alongwith other connected cases, has reserved its orders.

Disposal of pending cases through arbitration

2675. SHRI B. K. HARI PRASAD Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that a large number of cases are pending in various Courts and Tribunals and under departmental inquiries in various Government and Public Sector Units in the country; if so, the details thereof category-wise and State-wise;

(b) whether Government have any plans to streamline the disposal by insitituting daily hearings and out-of-court settlements through arbitration etc.;

(c) whether Government are aware that many of the Public Sector Units are resorting to departmental inquiries and delaying these inquiries in order to keep the suspended staff without any real offence out of the organisation and in some cases such suspensions are going on for nearly ten years as in the case of NDDB's Mother Dairy at Delhi;

(d) whether it is also a fact that many innocent SC/ST employees are being harassed by the PSUs using the weapon of departmental inquiries and if so, whether Government will stop all departmental inquiries and rely only on court judgements and arbitration; and